

**Notice of Allowability**

Application No.

10/767,586

Examiner

Dai A. Phuong

Applicant(s)

MIETTINEN, TIMO K.

Art Unit

2617

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 09/11/2007.
2. ☒ The allowed claim(s) is/are 1-23, 25, 27 and 29.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### DETAILED ACTION

1. This is in response to the Applicant's amendments and arguments filed on 09/11/2007. Claims 1-23, 25, 27 and 29 are currently pending.

#### ***Examiner amendment***

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview (704-444-1411) with Andrew T. Spence on 12/10/07.

The application has been amended as follow:

#### ***In The Claims:***

Claim 17 has been amended as followed:

17. (Currently Amended) A computer readable storage medium having computer-readable program code portions stored therein, the computer-readable program code portions comprising a set of instructions for causing a computer to execute: a first executable portion for receiving information from a RF transponder tag or a device adapted to operate as a RF transponder tag at a terminal at least partially over an air interface, wherein the information includes a service type representing a service offered by the service provider; a second executable portion for contacting the service provider for accessing the service; and a third executable portion for performing a predefined action based upon the service type, an application actively operating on the terminal, and a current state of the application when the first executable

portion receives the information, wherein the third executable portion is adapted to alternately perform a first predefined action when the terminal is actively operating an application in a state of receiving data, and performing a second, different predefined action when the terminal is actively operating an application in a state of presenting data, the application being in a state of either receiving data or presenting data when the controller receives the information.

***Reasons for Allowance***

3. The following is an examiner's statement of reasons for allowed:

Claims 1-23, 25, 27 and 29 are allowed.

Regarding claim 1, the prior art record fails to anticipate or render obvious a terminal for interacting with a service provider for accessing a remote service, the terminal comprising: a controller configured for actively operating an application, wherein the controller is configured for receiving information from a RF transponder tag or a device adapted to operate as a RF transponder tag at least partially over an air interface, *wherein the information includes a service type representing a service offered by the service provider, wherein the controller is configured for contacting the service provider for accessing the service, and thereafter performing a predefined action based upon the service type, the application actively operating on the terminal, and a current state of the application when the controller receives the information and wherein the controller is configured for alternately performing a first predefined action when the terminal is actively operating an application in a state of receiving data, and performing a second, different predefined action when the terminal is actively operating an application in a state of presenting data, the application being in a state of either*

*receiving data or presenting data when the controller receives the information*, all limitations in combination as defined by applicant.

Regarding claim 9, the prior art record fails to anticipate or render obvious a method of interacting with a service provider for accessing a remote service, the method comprising: receiving information from a RF transponder tag or a device adapted to operate as a RF transponder tag at a terminal at least partially over an air interface, *wherein the information includes a service type representing a service offered by the service provider; contacting the service provider for accessing the service; and performing a predefined action based upon the service type, an application actively operating on the terminal, and a current state of the application when the information is received, wherein performing a predefined action comprises alternately performing a first predefined action when the terminal is actively operating an application in a state of receiving data, and performing a second, different predefined action when the terminal is actively operating an application in a state of presenting data, the application being in a state of either receiving data or presenting data when the controller receives the information* , all limitations in combination as defined by applicant.

Regarding claim 17, the prior art record fails to anticipate or render obvious a computer readable storage medium having computer-readable program code portions stored therein, the computer-readable program code portions comprising a set of instructions for causing a computer to execute: a first executable portion for receiving information from a RF transponder tag or a device adapted to operate as a RF transponder tag at a terminal at least partially over an air interface, *wherein the information includes a service type representing a service offered by*

*the service provider; a second executable portion for contacting the service provider for accessing the service; and a third executable portion for performing a predefined action based upon the service type, an application actively operating on the terminal, and a current state of the application when the first executable portion receives the information, wherein the third executable portion is adapted to alternately perform a first predefined action when the terminal is actively operating an application in a state of receiving data, and performing a second, different predefined action when the terminal is actively operating an application in a state of presenting data, the application being in a state of either receiving data or presenting data when the controller receives the information , all limitations in combination as defined by applicant.*

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submission should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dai A Phuong whose telephone number is 571-272-7896. The examiner can normally be reached on Monday to Friday, 9:00 A.M. to 5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nguyen M Duc can be reached on 571-272-7503. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dai Phuong  
AU: 2617  
Date: 12/10/07



DUC M. NGUYEN  
SUPERVISORY PATENT EXAMINER  
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